

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEXANDER L. BUZON, *et al.*,

No. C-11-3141 EMC

Plaintiffs,

v.

**ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS**

WORLD SAVINGS BANK, FSB, *et al.*,

(Docket No. 8)

Defendants.

Defendants Wells Fargo Bank, N.A., successor by merger with WellsFargo Bank Southwest, N.A., formerly known as Wachovia Mortgage, FSB and World Savings Bank, FSB (sued herein as “World Savings Bank, FSB . . . Wells Fargo Bank, N.A.”), and Golden West Savings Association Service Co., filed a motion to dismiss Plaintiffs’ complaint on August 24, 2011. Docket No. 8. Defendants argued that the complaint was unintelligible and failed to state a claim against any defendant. Plaintiffs untimely filed on October 19, 2011 a “Letter” (Docket No. 12) which the Court construes as an opposition brief. However, the Court is unable to determine what arguments, if any, Plaintiffs have made in their letter as the letter is unintelligible.

The Court, having considered the parties’ submissions and Defendants’ request for judicial notice, determines that the matters are appropriate for resolution without oral argument, and **VACATES** the hearing set for October 28, 2011. The Court hereby enters the following order:

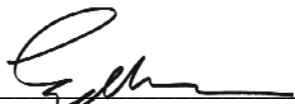
(1) Defendants’ request for judicial notice is granted. *See* Fed. R. Evid. 201; *Hite v. Wachovia Mortgage*, No. 2:09-cv-02884-GEB-GGH, 2010 U.S. Dist. LEXIS 57732, *6-9 (E.D. Cal. June 10, 2010) (taking judicial notice of same documents).

1 (2) Plaintiffs' complaint is unintelligible and fails to articulate a cognizable claim against
2 any defendant. *See Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009) ("[A] complaint must contain
3 sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.")
4 (internal quotations omitted); Fed. R. Civ. P. 8(a) (describing the general rules for stating a claim for
5 relief). This complaint falls well short of this benchmark, as other than the deed of trust attached to
6 the complaint, Plaintiffs fail to inform the Court the nature of the dispute and any claims they may
7 have against Defendants. Accordingly, the Court **GRANTS** Defendants' motion to dismiss and
8 dismisses the complaint as to all Defendants with leave to amend. Plaintiffs are given leave to file
9 an amended complaint within thirty days of the date of this order.

10 This disposes of Docket No. 8.

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12 IT IS SO ORDERED.

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14 Dated: October 21, 2011

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17 EDWARD M. CHEN
18 United States District Judge
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